

REMARKS

Claims 9 through 11 have been canceled. Claim 1 has been amended. Claims 1 through 8 and 12 through 25 remain in the application.

Claims 13 through 25 have been allowed.

Claims 1 through 12 were rejected under 35 U.S.C. § 102(b) as being anticipated by Abe et al. (U.S. Patent No. 4,245,595). Applicants respectfully traverse this rejection.

U.S. Patent No. 4,245,595 to Abe et al. discloses an internal combustion engine for motor vehicles. In FIGS. 3 to 6, an internal combustion engine includes a cylinder head 60 secured to an upper surface of a cylinder block 62 to close a plurality of cylinders 64 (see FIGS. 4 and 5) in which a corresponding number of pistons, one being shown at 66 in FIG. 4, are reciprocally movable, respectively. The cylinder block 62 has a lower end surface 68. Attached to the lower end surface 68 is a crank frame 70 which rotatably carries a crankshaft 72. The crank frame 70 is sectioned by a plane including the revolution axis of the crankshaft 72 into an upper frame section 74 and a lower frame section 76. The upper and lower frame sections 74 and 76 are securely attached to each other by means of bolts 78. A group of hubs 80 that carry the crankshaft 72 are sectioned by the same plane into upper hub sections 82 and lower hub sections 84. The upper hub sections 82 are arranged on an upper frame section 86 and integrally formed with the same, while, the lower hub sections 84 are arranged on a lower frame section 88 and integrally formed with the same, as shown in FIG. 5. The upper crank frame section 74, which includes the upper hub sections 82, the upper frame section 86 and the upper attachment flange section 90, and the lower crank frame section 76, which includes the lower hub sections 84, the lower frame section 88 and the lower attachment flange section 92, are preferably formed by casting or forging so as to provide a rigid construction to the crank frame 70. Abe et al. does not disclose an upper carrier and lower carrier each having a plurality of fastener apertures extending

through bearing portions and a plurality of fasteners extending through the fastener apertures to secure the upper carrier and the lower carrier together.

In contradistinction, claim 1, as amended, clarifies the invention claimed as a modular engine assembly including a cylinder bore block and a cylinder head disposed above the cylinder bore block. The modular engine assembly also includes a crankcase assembly disposed below the cylinder bore block. The crankcase assembly includes an upper carrier and a lower carrier each having a plurality of bearing portions therein being integral, unitary, and one-piece. The upper carrier and the lower carrier each have a plurality of fastener apertures extending through the bearing portions. The crankcase assembly further includes a plurality of fasteners extending through the fastener apertures to secure the upper carrier and the lower carrier together.

A rejection grounded on anticipation under 35 U.S.C. § 102 is proper only where the subject matter claimed is identically disclosed or described in a reference. In other words, anticipation requires the presence of a single prior art reference which discloses each and every element of the claimed invention arranged as in the claim. In re Arkley, 455 F.2d 586, 172 U.S.P.Q. 524 (C.C.P.A. 1972); Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983); Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 U.S.P.Q. 481 (Fed. Cir. 1984).

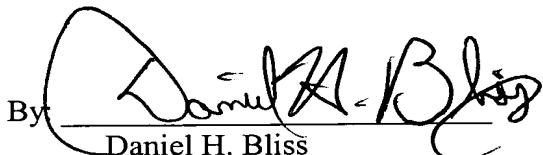
Abe et al. '595 does not disclose or anticipate the present invention of claim 1. Specifically, Abe et al. '595 merely discloses an internal combustion engine for motor vehicles in which a crank frame includes an upper frame section and a lower frame section securely attached to each other by means of bolts and upper hub sections are arranged on an upper frame section and integrally formed with the same, while, lower hub sections are arranged on a lower frame section and integrally formed with the same. Abe et al. '595 lacks an upper carrier and lower carrier each having a plurality of fastener apertures extending through bearing portions and a plurality of fasteners extending through the fastener apertures to secure the upper carrier and the

lower carrier together. In Abe et al. '595, the apertures for the fasteners extend through the lower frame section 88 and not the hub sections 84.

Abe et al. '595 fails to disclose the combination of a modular engine assembly including a cylinder bore block, a cylinder head disposed above the cylinder bore block, a crankcase assembly disposed below the cylinder bore block, wherein the crankcase assembly includes an upper carrier and a lower carrier each having a plurality of bearing portions therein being integral, unitary, and one-piece, the upper carrier and the lower carrier each having a plurality of fastener apertures extending through bearing portions, and a plurality of fasteners extending through the fastener apertures to secure the upper carrier and the lower carrier together as claimed by Applicants. Therefore, it is respectfully submitted that claim 1 and the claims dependent therefrom are allowable over the rejection under 35 U.S.C. § 102(b).

Based on the above, it is respectfully submitted that the claims are in a condition for allowance, which allowance is solicited.

Respectfully submitted,

By 
Daniel H. Bliss
Reg. No. 32,398

General Motors Corporation
Legal Staff, Mail Code 482-C23-B21
P.O. Box 300
Detroit, MI 48265-3000
(313) 665-4708

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